

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI**

ELLEN HANNA,

Plaintiff,

VS.

SUNRISE SENIOR LIVING MANAGEMENT, INC,

Defendant.

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) **Case No. 4:21-cv-01093-SRW**
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ORDER

The Court, on this ____ day of _____, _____, having heard Plaintiffs’ Petition for Wrongful Death Settlement Approval, and upon consideration thereof, having been fully advised in the premises and having independently examined the facts and evidence presented in this case, finds the settlement is just, fair, and in the best interests of the members of the wrongful death class for the death of Margaret Kovacevich. The Court further finds:

1. Plaintiff is the only surviving biological child of the Decedent and is authorized to settle this lawsuit on behalf of the class that is entitled to recover for all allegations of wrongful death against the Defendants and enter into and sign all necessary Releases and Stipulations.

2. Decedent had another child who predeceased her, namely John Kovacevich, who had two children, both living, namely Marcy Kovacevich and John Samuel Kovacevich.

3. Marcy Kovacevich and John Samuel Kovacevich were notified via certified mail of this lawsuit, proposed settlement, and their right to join the suit herein. Both have signed an affidavit of waiver before a notary public, waiving their right to join this litigation, and being forever barred from same, which have been duly filed with this Court.

4. The agreement is entered into in good faith by the parties and approved under RSMO sections 537.095 and 537.060.

5. The Court approves the settlement, as described in the Release produced at the hearing as Exhibit 1 but kept by the parties and finds the settlement proceeds (after deduction of attorney's fees, litigation expenses, liens and any other items set forth in Exhibit 1) are just, fair, and in the best interests of the wrongful death class members.

6. The Court approves the attorneys' fees and litigation expenses to be paid to Lake Munro, LLC.

7. It is hereby ORDERED, ADJUDGED AND DECREED that Plaintiff is to collect and receive the settlement proceeds and deduct and pay the aforementioned attorneys' fees and litigation expenses.

8. It is hereby ORDERED, ADJUDGED AND DECREED that the Release marked as Exhibit 1, showing the total payments by the Defendant, shall be removed from the Court file and shall remain in the custody of counsel for the parties, with the original retained by Sandberg Phoenix & von Gontard P.C.

9. It is hereby ORDERED, ADJUDGED AND DECREED that the terms and amounts of this settlement shall be and shall remain confidential, and are not to be shared with any other person, firm, or entity outside of the parties, their respective counsel and their tax and financial advisors, as described in the Release, Exhibit 1.

10. It is hereby ORDERED, ADJUDGED AND DECREED that the Plaintiffs shall dismiss this cause of action with prejudice after satisfaction of this settlement and judgment.

SO ORDERED:

DATE JUDGE